



Michael Bernstein
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December 5, 2013

Via ECF and E-mail

Hon. Katherine P. Failla
United States District Court
40 Foley Square, Room 608
New York, New York 10007
Failla_NYSDChambers@nysd.uscourts.gov

Re: *Ragone v. Aetna Life Insurance Company*
Civil Action No.: 13 CV 4604 (KPF)
File No.: 00322-008173

Dear Judge Failla:

This office represents Defendant Aetna Life Insurance Company in the above-referenced matter. We respectfully submit this letter to correct an inadvertent error in Aetna's Memorandum of Law in Support of its Motion Regarding the Appropriate Standard of Review ("MOL"), which was filed with the Court on December 4, 2013. (Doc. No. 15). Specifically, under the section entitled "Pertinent Plan Terms" (i.e. in subsection "C" at the first paragraph at the top of page 5), we state the following:

The Certificate of Coverage applicable to plaintiff's claim for LTD benefits is identified in the Group Policy as Certificate Base 2, Summary of Coverage 2A, and Rider: 2. (120-152, 154). The second page of the applicable LTD Certificate of Coverage specifically states that it applies to benefits provided under Group Policy number GP-818699, which is the Group Policy Aetna is issued to Tradition to fund benefits under its employee welfare benefit plans. (13, 121).

This is incorrect. The Certificate of Coverage applicable to plaintiff's claim for LTD benefits in this matter is Certificate Base 3, Summary of Coverage 3A, and Rider: 2. Accordingly, the aforementioned paragraph should be corrected to read as follows:

The Certificate of Coverage applicable to plaintiff's claim for LTD benefits is identified in the Group Policy as Certificate Base 3, Summary of Coverage 3A, and Rider: 2. (48-80, 154). The second page of the applicable LTD Certificate of Coverage specifically states that it applies to benefits provided under Group Policy number GP-818699, which is the Group Policy Aetna issued to Tradition to fund benefits under its employee welfare benefit plans. (13, 50).

Please note that correcting this error does not change the substance of Aetna's argument in its Motion Regarding the Appropriate Standard of Review.

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Thank you for your consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Bernstein", with a long horizontal flourish extending to the right.

Michael Bernstein

Sedgwick LLP

MHB

cc: *Plaintiff's Counsel of Record (Via ECF and Email)*